Attorney Docket No. YOR920000429US1

## REMARKS

The present application was filed on October 11, 2000 with claims 1-30. Claims 1, 10, 11, 20, 21 and 30 are the independent claims and have been amended. Claims 1-30 remain pending.

In the outstanding Final Office Action dated May 2, 2006, the Examiner: (i) rejected claims 1-30 under 35 U.S.C. §101; and (ii) rejected claims 1-30 under 35 U.S.C. §112, first paragraph.

With regard to the rejections of claims 1-30 under 35 U.S.C. §101 and §112, first paragraph, Applicants have amended independent claims 1, 10, 11, 20, 21 and 30 so that they recite a practical application in the technological arts in an effort to expedite the application through to issuance. Specifically, independent claims 1, 10, 11, 20, 21 and 30 recite techniques for optimizing data mining in a computer, the data mining being performed on the computer to detect one or more outliers in a high dimensional data set of personal attributes, wherein the one or more outliers in the high dimensional data set of personal attributes are capable of being presented on a display. Support for the amendments can be found in the specification on page 12, lines 25-26. Applicants believe that claims 1-30 contain statutory subject matter under §101 and therefore request withdrawal of the rejections under §101 and §112, first paragraph.
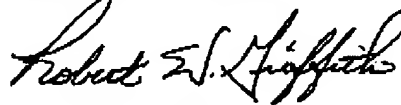
Applicants point out in *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, the court states, "in *Alappat*, we held that data, transformed by a machine through a series of mathematical calculations to produce a smooth waveform display on a rasterizer monitor, constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it produced 'a useful, concrete and tangible result' - the smooth waveform." *In re Alappat*, 31 USPQ2d 1545 (Fed. Cir. 1994) (in banc) *cited with approval in State Street Bank* 47 USPQ2d 1596 at 1600 (Fed. Cir. 1998).

Applicants assert that the data sets being manipulated constitute a practical application of an abstract idea, because the resulting one or more outliers detected by the computer of independent claims 1, 10, 11, 20, 21 and 30 are capable of being presented on a display, therefore producing a useful, concrete and tangible result.

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In view of the above, Applicants believe that claims 1-30 are in condition for allowance, and respectfully request withdrawal of the §101 and §112 rejections.

Respectfully submitted,

Date:  July 12, 2006

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